Metropolitan Transit System

1255 Imperial Ave. Suite 1000
San Diego, CA 92101
Tel: (619) 557-4501

MTS STANDARD CONSTRUCTION NOTES

- A Right of Entry permit is necessary when entering MTS / San Diego and Arizona Eastern (SD&AE) right-of-way, including airspace, for any purpose. A permit is also required when working in public right-of-way occupied by MTS / SD&AE facilities. Instructions to obtain access to railroad facilities are available from MTS.

- Certificate of Insurance from your insurance company with a minimum limit of $1,000,000 for each occurrence and $1,000,000 each for General Liability, Automobile Liability, and Workman's Compensation must be submitted before the permit will be processed. MTS should be named the Certificate holder. Also, please include the following as additional insureds:

    - Metropolitan Transit System (MTS)
    - San Diego Trolley, Inc. (SDTI)
    - San Diego and Arizona Eastern (SD&AE) Railway
    - San Diego and Imperial Valley (SD&IV) Railroad
    - San Diego Transit Corporation (SDTC), their directors, officers, agents and employees as additional insureds as their interests may appear.

- Most general liability insurance does not cover railroads. Any exclusions relating to performance of operations within the vicinity of any railroad, bridge, trestle, track, roadbed, tunnel, underpass, or crossing must be deleted from the policy. If the exclusions cannot be removed, a separate Railroad Protective Liability Policy will be required.

- Flagging will be required anytime work is within 15 feet of the centerline of the track including airspace or as deemed necessary by MTS. A Flagperson / Right-of-Way Work Request form must be submitted to SDTI a minimum of two business days prior to anticipated work.

- A pre-construction meeting will be required with SDTI prior to work commencing within the right-of-way. A written notice of planned start of work must be submitted to MTS a minimum of five business days prior to work starting in the right-of-way. All work will be stopped and Permittee will not be allowed in the right-of-way without proper notification.

- Permittee must adhere to construction and safety standards required by MTS of their contractors when working within the right-of-way.

- A written notice shall be submitted to MTS when work is completed within the right-of-way. Any additional work required to replace or repair the railroad facilities in good working order will be the Permittee's responsibility prior to relief from maintenance within the permit area.

- Sleeves under Railroad tracks and across Railroad right-of-way shall not be less than 5 ½ feet (1.7m) from the base of the rail to the top of the casing at its closest point. On portions where

Metropolitan Transit System (MTS) is a California public agency and is comprised of San Diego Transit Corporation and San Diego Trolley, Inc. nonprofit public benefit corporations, in cooperation with Chula Vista Transit and National City Transit. MTS is the taxicab administrator for eight cities and the owner of the San Diego and Arizona Eastern Railway Company.

MTS member agencies include: City of Chula Vista, City of Coronado, City of El Cajon, City of Imperial Beach, City of La Mesa, City of Lemon Grove, City of National City, City of Poway, City of San Diego, City of Santee, and the County of San Diego.

casing is not directly beneath the tracks, the depth from ground surface to the top of the casing shall not be less than 3 feet (1 m).

- Permittee agrees to coordinate on a daily basis a reasonable access to all MTS/SD&AE facilities with contract operators, SDTI, and SD&IV. Trolley operations are generally from the hours of 4:00 a.m. to 2:00 a.m. the following day. SD&IV freight trains operate during non-Trolley hours.

- Permittee agrees to restore all facilities, improvements, landscaping, etc., to their original condition by the completion of work or as shown on plans.

- Permittee agrees that no work by himself or his authorized agent will interfere with railroad/trolley operations.

- Permittee shall notify SDTI and SD&IV a minimum of 2 business days prior to the start of work on subject property and within 1 business day after completion of work.

- Permittee shall not store equipment, tools, and materials within fifteen feet from the centerline of any operable track.

- Permittee shall remove all of Permittee's tools, equipment, and materials from railroad premises promptly upon completion of work, restoring railroad premises to the same state and condition as when Permittee entered thereon.

- No vehicular crossing over tracks shall be installed or used by Permittee without prior written permission of Railroad.

- Permittee shall perform all work in accordance with applicable California Public Utilities Commission regulations and MTS LRT Design Criteria.

- Permittee shall maintain safe pedestrian access to all trolley platforms and bus stops at all times. A minimum five-foot-wide accessible pedestrian path through the construction site shall be maintained at all times. The construction boundary shall consist of a top and bottom rail constructed of 3/4–inch plastic pipe, OSHA plastic mesh, or approved equal. Yellow caution tape is not acceptable.

- Permittee shall not use or store hazardous substances, as defined by the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA") or petroleum or oil as defined by applicable Environmental Laws on the Railroad right-of-way.

- Any contractors or subcontractors performing work on the Railroad right-of-way, or entering the right-of-way on behalf of Permittee, shall be deemed agents of Permittee.

- Permittee's on-site supervision shall retain/maintain a fully executed copy of the Right of Entry Permit at all times while on the Railroad right-of-way.